

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO. 10-238
v.	*	SECTION: "S"
JUAN OWENS	*	VIOLATION: 18 U.S.C. §1341
	* * *	

FACTUAL BASIS

Should this matter have gone to trial, the Government would have proved beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible exhibits including the testimony of special agents of the Federal Bureau of Investigation ("FBI"), employees of the American Red Cross ("Red Cross") and others, the following facts to support the allegations charged by the United States Attorney in the Indictment now pending against the defendant, **JUAN OWENS**.

An employee of the Red Cross would testify that in the weeks and months after Hurricane Katrina, which struck southeastern Louisiana on August 29, 2005, the Red Cross maintained disaster recovery centers to assist victims of Hurricane Katrina. Through these recovery assistance efforts, the Red Cross provided financial assistance to residents displaced or otherwise affected by Hurricane Katrina. People affected by the storms were able to apply for a one-time only financial grant of up

to \$1,565 from the Red Cross. In order to receive these funds, applicants needed to present identification to a Red Cross representative that indicated residence in an affected zone. Applicants were also required to swear and attest that they had not received any undisclosed additional American Red Cross financial assistance at any other Red Cross assistance location.

Competent testimony would be introduced that once approved, the Red Cross made these disaster assistance funds available in one of four ways: (1) A personal check made payable to the applicant, issued on-site, and cashed with the assistance of the Red Cross; (2) A Red Cross-issued “Discover” card, issued on-site, and activated via phone by the applicant; (3) A Red Cross-issued Client Assistance Card, issued on-site, and purchased by the Red Cross from private banking institutions, including Capital One; (4) A personal check authorized by the Red Cross, issued by Paychex, Inc.

An employee from Paychex Inc., a Rochester, NY-based company that volunteered its services to Red Cross, would testify that the company processed and issued personal checks to applicants as deemed appropriate and authorized by Red Cross. The checks were mailed to applicants via the United States Postal Services.

Testimony by an employee of the Red Cross and admissible exhibits would be introduced to prove that the defendant, **JUAN OWENS**, presented himself to Red Cross assistance centers on ten (10) occasions between on or about September 12, 2005 and on or about October 24, 2005. On each visit, he applied for financial assistance and indicated that he had not received any other financial assistance from the Red Cross, when he had, in fact, received such assistance on prior occasions. As a result of his actions on these ten (10) applications, **JUAN OWENS** received direct financial assistance from the Red Cross totaling \$14,445.00 of which \$13,480.00 was obtained by

fraud.

Competent testimony and admissible exhibits would be introduced to prove that as a result of an application that he submitted to the Red Cross on October 24, 2005, **JUAN OWENS** received a personal check in the amount of \$1,565.00 bearing the number 1032000643. The check was authorized by the Red Cross on or about October 24, 2005, and issued and mailed by Paychex, on or about November 2, 2005 and made payable to him. Paychex sent the check to the address he provided of 2309 Center Avenue, Hammond, Louisiana, through the United States mail.

JUAN OWENS admits that he applied for Red Cross benefits on ten (10) occasions between on or about September 12, 2005 and on or about October 24, 2005, and that he intended to defraud the Red Cross by indicating on each application that he had not previously applied for Red Cross benefits in the past. **JUAN OWENS** admits that he was aware he could only apply for Red Cross benefits one time and acknowledges that his actions caused the mailing of a check to the address that he provided, which is in the Eastern District of Louisiana, in violation of Title 18, United States Code, Section 1341.

READ AND APPROVED:

ROMA KENT (Date)
Counsel for JUAN OWENS ____/____/____

SPIRO G. LATSIS (Date)
Assistant U.S. Attorney ____/____/____

JUAN OWENS (Date)
Defendant ____/____/____

